

## **Family Life Education Legislation**

### **49-1-205. Support and assistance for family life education.**

**(a)** The department of education shall develop a program of technical support and assistance for LEAs which initiate implementation of family life education in conformity with the guidelines established by the state board of education.

**(b)** Such program of technical support and assistance shall include: suggested methods for maintaining a high level of parental and community support for family life education; workshops, seminars, or other training opportunities for family life instructors; assistance in selecting family life textbooks and resource materials most suitable for the special needs of the community which the LEA serves; recommended mechanisms for effectively monitoring and evaluating implementation of family life courses; and other similar services to assist the LEA.

**(c)** The program of technical support and assistance developed pursuant to this section shall be provided upon request of an LEA.

Acts 1987, ch. 442, § 2.

### **49-6-1301. Family life instruction - Local programs - Content - Review.**

**(a)** Beginning with the 1991-1992 school year, if the most recent, annual data maintained by the department of health, state center for health statistics, indicate that pregnancy rates in any county exceeded nineteen point five (19.5) pregnancies per one thousand (1,000) females aged fifteen (15) through seventeen (17), then every LEA within such county shall locally devise, adopt and implement a program of family life instruction in conformance with the curriculum guidelines established for such programs by the state board of education.

**(b)** The locally devised and implemented program of family life education shall emphasize abstinence from sexual relations outside of marriage, the right and responsibility of a person to refuse to engage in such relations, basic moral values, as well as the obligations and consequences which arise from intimacy. The program shall also include a component which specifically addresses the nature and prevention of AIDS and other sexually transmitted diseases.

**(c)** The locally devised and adopted program of family life instruction shall be implemented during each of the succeeding four (4) school years following the calendar year in which such data is released. If, at any time during such four-year period, any LEA within the county fails to implement a locally devised and adopted program of family life instruction in conformance with the curriculum guidelines established for such programs by the state board of education, then the LEA shall implement the complete plan of family life instruction developed by the state board pursuant to § [49-6-1302](#), and

shall fully participate in the program of technical support and assistance established pursuant to the provisions of § [49-1-205](#).

(d) The LEA shall prescribe procedures to provide for the periodic review and evaluation of family life instruction and to provide for periodic public hearings and parental conferences to ensure a high level of community and parental input and support for family life instruction.

(e) Notwithstanding the provisions of any law to the contrary, failure to comply with the provisions of subsection (c) shall subject the LEA to a withholding of state funds by the commissioner of education.

Acts 1989, ch. 565, § 1.

#### **49-6-1302. Development of plan by state board of education - Adoption by local education agency. -**

(a) (1) Prior to the 1991-1992 school year, the state board of education shall develop a complete plan of family life instruction suitable for implementation by any LEA which fails to devise, adopt and implement a local program of family life instruction pursuant to § 49-6-1301.

(2) The plan shall include all procedures and policies necessary for local implementation, administration, evaluation and supervision of family life instruction. The plan shall emphasize abstinence from sexual relations outside of marriage, the right and responsibility of a person to refuse to engage in such relations, basic moral values, as well as the obligations and consequences which arise from intimacy. The plan shall include a component which specifically addresses the nature and prevention of AIDS and other sexually transmitted diseases. In developing the plan, the state board shall consider such programs and materials as "Sex Respect," "Teen-Aid," and the "3-R Project" of the South Carolina departments of education and health. The plan shall require the LEA to undertake appropriate and adequate measures to encourage and maintain the highest level of parental and community support for family life instruction in the home, in church and at school. The plan shall include procedures and policies whereby **the LEA may utilize the services of qualified health care professionals and social workers to assist in family life instruction; however, the plan shall preclude any individual from serving as a family life instructor unless such individual is found by the LEA to be upright of character and of good public standing.**

(b) Prior to implementing the complete plan of family life instruction developed by the state board of education, an LEA shall conduct at least one (1) public hearing, at which time the plan shall be explained and at which time members of the public shall have the opportunity to speak and express their opinions and concerns. Additionally, the plan shall require the LEA to periodically conduct thereafter, but not less frequently than once each September, public meetings for parents to confer with family life instructors, to review resource materials and course content, and to offer comments and suggestions.

Furthermore, after implementation of the plan, upon request of the LEA or upon petition by fifty (50) or more parents or guardians of children enrolled within the LEA, the department of education shall audit the LEA for the purpose of evaluating the quality and effectiveness of the plan of family life instruction, as administered by the LEA, and for the purpose of recommending methods whereby the LEA may improve such quality and effectiveness and foster a higher level of parental and community support for family life instruction.

[Acts 1989, ch. 565, § 1.]

**49-6-1303. Children excused from instruction by parent or guardian.**

**(a)** Upon receipt of a written statement from a student's parent or guardian to the effect that the parent or guardian has personally examined the appropriate grade level instructional materials or has conferred directly with the student's instructor, school counselor or principal and that the parent or guardian finds objectionable any or all portions of family life instruction, the student shall be excused from such portion or portions of family life instruction.

**(b)** A parent or guardian who wishes to excuse a student from all portions of family life instruction shall submit such request in writing to the student's principal, director of schools and board of education. A student who is excused from all portions of family life instruction shall not be penalized for grading purposes if such student performs alternative health or social studies lessons specifically assigned by the board, and if such student performs the alternative lessons in a timely and satisfactory manner.

Acts 1989, ch. 565, § 1; 1999, ch. 367, § 5.]